

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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<b>FRANKLYN DEVON PRILLERMAN</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	<b>13-1414</b>
<b>vs.</b>	:	
	:	
<b>CITY OF PHILADELPHIA, et al.,</b>	:	
<b>Defendants.</b>	:	
	:	

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**STATEMENT OF STIPULATED FACTS**

1. In 2010 Plaintiff was placed on probation following a conviction in the State of Arkansas. After being placed on probation in Arkansas, Plaintiff returned to Philadelphia, Pennsylvania.
2. On November 29, 2012, Plaintiff was arrested for violation of his Arkansas probation. Plaintiff was incarcerated at Curran-Fromhold Correctional Facility while awaiting his extradition hearing in the City and County of Philadelphia, Pennsylvania.
3. Philadelphia Prison System follows Philadelphia Prison Policy Number 1.G.3 when conducting video conferencing between inmates and agencies and agents of the criminal justice system.
4. On December 11, 2012, Plaintiff participated in a video conference extradition hearing. Plaintiff was taken to the video conference hearing room at Curran-Fromhold Correctional Facility where he was instructed by Correction Officer Lynch to speak to his attorney via telephone.
5. Correction Officer Lynch instructed Plaintiff to only say “yes” to questions posed by his attorney during their telephone conversation.
6. Plaintiff spoke to his attorney, via telephone, in a room with other inmates as well as Correction Officer Lynch.
7. The telephone conversation with Plaintiff’s attorney occurred before his video hearing was initiated with the assigned Judge.
8. When the video conference began, Plaintiff was colloquied, on the record, regarding his decision to waive extradition.
9. On December 11, 2012, Plaintiff was in the day room, locked out of his personal cell, at Curran-Fromhold Correctional Facility participating in recreational time.
10. Plaintiff informed Correction Officer Sylvia Melton that he had to urinate and Plaintiff asked if Officer Melton would open his cell so that he could use the toilet.
11. Correction Officer Sylvia Melton did not open Plaintiff’s cell immediately upon Plaintiff’s request.

12. Plaintiff urinated himself.
13. Within five to ten minutes, Officer Melton conducted a tour and the cells were opened.
14. Upon entering his cell, Plaintiff changed his clothing.